

REMARKS

Claims 1-31 are pending. Claims 18-22 have been allowed. Claims 6-12, 16, 17, 26, 27, and 31 have been objected to.

The Examiner rejected Claims 1-5, 13-15, 23-25, and 28-30 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 4,886,435 to Sawai et al. ("Sawai et al. '435") in view of U.S. Patent No. 6,358,019 to Iversen et al. ("Iversen et al. '019").

Sawai et al. '435 discloses a vertical scroll compressor, shown in Fig. 1, including closed casing 1 having fixed scroll 13, orbiting scroll 15, and bearing member 14. Refrigerant gas is conducted into casing 1 through suction pipe 6. Bearing member 14 includes suction port 14g, shown in Figs. 1-5, through which gas is drawn into the compression pockets between fixed scroll 13 and orbiting scroll 15. Referring to Figs. 1 and 5, screening plate 27, shown in Fig. 6 as a substantially rectangular plate, is attached to bearing member 14 via a bolt 28 inserted through hole 27a in screening plate 27 and into one of the reinforcing ribs 14d of bearing member 14. Generally, screening plate 27 functions as a blocking member upon which gas impinges after passing into casing 1 through suction port 6, whereby oil entrained within the gas collects on screening plate 27 and drips downwardly therefrom into the oil sump of the compressor. The operation of screening plate 27 is discussed in detail at col. 10, line 51 through col. 12, line 17. In particular, after the gas enters casing 1 through suction pipe 6 and impinges upon screening plate 27, the gas flows in a counterclockwise direction around casing 1, corresponding to the rotation direction of the motor, as shown by the arrow in Fig. 5, before being drawn into suction inlet 14g of bearing member 14. (*See* col. 10, line 51 through col. 11, line 3).

Iversen et al. '019 discloses a suction sound damper, shown in Figs. 1-5, including lower part 1 and upper part 3, with lower part 1 including a circular inlet 10.

Independent Claims 1, 13, 23, and 28 each call for a compressor assembly including, *inter alia*, a housing having a first inlet; a compressor mechanism disposed within the housing and defining a working space having a second inlet, a baffle positioned within the housing and extending from proximate the first inlet to proximate the second inlet and directing gas entering the housing in a flow path from the first inlet to the second inlet, the baffle surface including an opening having a length being substantially greater than a width of the opening.

Applicants respectfully submit that independent Claims 1, 13, 23, and 28 are not obvious over Sawai et al. '435 in view of Iversen et al. '019 because each of the foregoing references, either alone or in combination, fails to disclose a compressor assembly including a housing having a first inlet and a compressor mechanism having a working space with a second inlet, together with a baffle surface positioned with the housing, extending from proximate the first inlet to proximate the second inlet, and directing gas entering the housing in a flow path from the first inlet to the second inlet.

By contrast, in the scroll compressor of Sawai et al. '435, screening plate 27 does not extend from proximate the inlet of casing 1, defined by suction pipe 6, to proximate inlet 14g of baffle member 14. Rather, as shown in Fig. 5, screening plate 27 is secured to one of the reinforcing ribs 14d of bearing member 14 at a position which is spaced approximately 90° from each of suction pipe 6 and inlet 14g of bearing member 14. Additionally, screening plate 27 does not direct gas entering casing 1 in a flow path from suction pipe 6 to inlet 14g. Rather, as discussed at col. 10, line 51 through col. 11, line 3 of Sawai et al. '435, after screening plate 27 blocks the gas entering suction pipe 6 to separate oil therefrom, the gas circulates counterclockwise around casing 1, as shown by the arrow of Fig. 5, before entering inlet 14g.

Further, the Examiner has acknowledged that screening plate 27 of the scroll compressor of Sawai et al. '435 does not include an opening. Circular opening 10 of the damper disclosed in Iversen et al. '019 is *circular* in shape, as shown in Fig. 1 of Iversen et al. '019, and therefore opening 10 does not have a length substantially greater than a width thereof. In this manner, even if Iversen et al. '019 is properly combinable with Sawai et al. '435, the foregoing combination fails to disclose a baffle surface having an opening therein, the opening having a length being substantially greater than its width, as called for in each of independent Claims 1, 13, 23, and 28.

For the foregoing reasons, Applicants respectfully submit that independent Claims 1, 13, 23, and 28, as well as dependent Claims 2-12, 14-17, 24-27, and 29-31 which depend therefrom, are not obvious over Sawai et al. '435 in view of Iversen et al. '019.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested. Specifically, Applicants respectfully submit that the application is in condition for allowance and respectfully request allowance thereof.

Application Serial No. 10/657,652
Amendment dated September 29, 2004
Reply to Office Action dated August 30, 2004

In the event Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefore and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Should the Examiner have any further questions regarding any of the foregoing, she is respectfully invited to telephone the undersigned at (260) 424-8000.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: September 29, 2004

ADAM F. COX, REG. NO. 46,644

Name of Registered Representative



Signature

September 29, 2004

Date